

Please type a plus sign (+) inside this box ☒

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No.

END 5026

First Inventor: William T. Donofrio.

Title: RESPONSE TESTING FOR CONSCIOUS SEDATION USING CABLELESS COMMUNICATION

I hereby certify that this correspondence is being deposited today with the United States Postal Service as Express Mail - Post Office to Addressee in an envelope addressed to: Commissioner for Patents, MS Patent Application, PO Box 1450, Alexandria, VA 22313

Name: Linda F. Hansen Date: September 25 2003  
Linda F. Hansen

(only for new nonprovisional applications under 37 CFR 1.53(b))

Express Mail Label No.

ER 115 127 014 US

**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents.

**ADDRESSED TO:**

Commissioner For Patents  
MS Patent Application  
PO Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification [Total Pages 64]  
(Preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 31]
5. ☒ Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request and Certifications under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Application Cover Sheet w/Express Mail Certification

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.: \_\_\_\_\_, filed \_\_\_\_\_.  
Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_  
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label 000027777 or ☒ Correspondence Address below

Name: Philip S. Johnson, Esq.  
Address: Johnson & Johnson, One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT: Verne E. Kreger, Jr.  
Please direct all telephone calls or faxes to: Telephone: (513) 337-3295 Fax: (513) 337-8489

**21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME

Verne E. Kreger, Jr.

Reg. No. 35,231

SIGNATURE

Verne E. Kreger, Jr.

Date: September 25, 2003

09/25/03 17707 U.S. PTO

|                        |                          |                     |
|------------------------|--------------------------|---------------------|
| <b>FEE TRANSMITTAL</b> | <i>Complete if Known</i> |                     |
|                        | Application Number       |                     |
|                        | Filing Date              | September 25, 2003  |
|                        | First Named Inventor     | William T. Donofrio |
|                        | Group Art Unit           | Not assigned        |
|                        | Examiner Name            | Not assigned        |
|                        | Attorney Docket Number   | END 5026            |

**FEE CALCULATION**

CLAIMS AS FILED

| (1)                       | (2)          | (3)          | (4)        | (5)       |
|---------------------------|--------------|--------------|------------|-----------|
| FOR:                      | NUMBER FILED | NUMBER EXTRA | RATE       | BASIC FEE |
|                           |              |              |            | \$ 750.00 |
| TOTAL CLAIMS              | 24 - 20 =    | 4            | x 18.00    | \$ 72.00  |
| INDEPENDENT CLAIMS        | 3 - 3 =      | 0            | x 84.00    | \$ 00.00  |
| MULTIPLE DEPENDENT CLAIMS | 0 - 0 =      | N/A          | X 280.00   |           |
|                           |              |              | TOTAL FEES | \$822.00  |

**METHOD OF PAYMENT**

- ☒ Please charge Deposit Account No. 10-0750END 5026/VEK in the amount of \$822.00.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750END 5026/VEK .

|                       |                             |                                    |
|-----------------------|-----------------------------|------------------------------------|
| <b>SUBMITTED BY:</b>  |                             | <i>Complete (if applicable)</i>    |
| Typed or Printed Name | Verne E. Kreger, Jr.        | <b>Reg. No. 35,231</b>             |
| Signature             | <i>Verne E. Kreger, Jr.</i> | <b>Deposit Account No. 10-0750</b> |
|                       | Date: September 23, 2003    |                                    |